

**MINUTES**

**Baltimore County Planning Board Meeting**

**July 16, 2015**

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**Minutes**

**July 16, 2015**

**Call to order, introduction of Board members, Pledge of Allegiance to the Flag, and announcements**

Vice Chairman Miller called the meeting of the Baltimore County Planning Board to order at 4:35 p.m.  
The following members were:

Present

Mr. Paul Miller  
Mr. Wayne McGinnis  
Mr. Mark Schlossberg  
Ms. Nancy Hafford  
Mr. Scott Jenkins  
Mr. Jon Herbst  
Ms. Michelle Lipkowitz  
Mr. Howard Perlow  
Mr. Jeffrey Gordon\*

Absent

Mr. Scott Phillips  
Ms. Christina Berzins  
Mr. Eric Lamb  
Mr. Scott Holupka  
Ms. Lori Graf

\*Mr. Gordon arrived at 4:43

County staff present included: Andrea Van Arsdale, Jeff Mayhew, Kathy Schlabach, Lloyd Moxley, Jessie Bialek, Matt Diana, and Janice Graves.

**Review of today's agenda**

Vice Chairman Miller asked if there were any changes to the tentative agenda. Staff stated that one action summary had been added to the agenda.

**Minutes of the June 18, 2015 meeting**

There were no changes to the minutes from the June 18, 2015 meeting. Vice Chairman Miller called for a motion to accept the minutes from the June 18, 2015 meeting. Mr. Perlow made the motion and Mr.

Schlossberg seconded the motion, which passed unanimously at 4:37 p.m. Absent were Messrs. Phillips, Lamb, Gordon and Holupka, as well as Ms. Berzins and Ms. Graf.

### **Items for Discussion and Vote**

#### 1. Accessory Non-Commercial Raising and Keeping of Small Livestock, Fowl and Poultry

Before the discussion and vote began, Ms. Jessie Bialek, from the Department of Planning, summarized the amendments that were proposed to the initial staff report. They included: increasing the allowed number of hens from 4 to 6, altering the requirements for coops from requiring 4 walls and a roof to simply requiring walls and a roof, and modifying the stipulation stating that hens cannot be allowed outside of the coop in order to allow hens to range freely under the direct supervision of the owner or another responsible adult.

Mr. Miller asked if an increase in the number of chickens was directly asked for by citizens at the Public Hearing. Ms. Bialek replied yes, and noted the reasons for increasing the number.

Ms. Hafford asked about how the chickens are disposed of. Ms. Bialek said that there are waste disposal requirements in the regulations.

Mr. McGinnis asked about the specifics of the outdoor run. Ms. Bialek confirmed that the chickens are allowed outside of the coop under the revised regulations, only when inside a fenced in yard and under the supervision of the owner or another adult.

Mr. Schlossberg asked about any changes to the permitted lot size. Ms. Bialek replied that no changes were made to the permitted lot size, and that it still remains at a minimum of 5,000 square feet.

Mr. Jenkins asked whether or not the vote would be able to continue if he abstained. He was informed that the vote would be able to continue. Mr. Jenkins further explained the reason for his decision, stating that he did not feel that he would be voting based on the facts but rather based on emotion, because his young daughter had recently come down with salmonella.

Ms. Hafford made a motion to adopt the Accessory Non-Commercial Raising and Keeping of Small Livestock, Fowl and Poultry regulations, with amendments, to be forwarded to the Baltimore County Council. Mr. McGinnis seconded the motion, which passed by a vote of 6 to 1 at 4:40 p.m., with Mr. Jenkins abstaining. Mr. Schlossberg voted against. Absent were Messrs. Phillips, Lamb, Gordon and Holupka, as well as Ms. Berzins and Ms. Graf.

### **Other Business**

#### 2. Report from the July 9<sup>th</sup> meeting of the Landmarks Preservation Commission

Mr. Herbst gave a report from the most recent meeting of the Landmarks Preservation Commission. There was one nomination to the Preliminary Landmarks List. The nomination was for the “Mensana” & setting (“Venture”, “Bally Dugan”) – 1718 Greenspring Valley Road, MIHP # 1609, contributing structure in the Greenspring Valley National Register Historic District [County Council District #2]

The LPC voted to issue seven Certificates of Appropriateness and one Notice to Proceed. Two items were referred to staff and a LPC Technical Committee to review for approval due to there being no scheduled LPC meeting in August.

The Certificates of Appropriateness were for:

Marquess property, 1719 Arlington Avenue, contributing structure in the Relay County Historic District; replacement of existing aluminum siding with vinyl siding and replacement of non-historic existing front door [County Council District #1]. The LPC voted to issue a Certificate of Appropriateness.

“Glyndon Park” Cottage (O’Neill Property), 6 Fiske Avenue, contributing structure in the Glyndon County Historic District and Glyndon National Register Historic District, MIHP #BA0714; addition to cottage [County Council District #3]. The LPC voted to issue a Certificate of Appropriateness.

Cervino property, 4716 Butler Road, non-contributing structure in both the Glyndon County Historic District and Glyndon National Register Historic District; conversion of an existing rear sunroom to a screened-in porch to include installation of 2 interior French doors, 3 skylights, replacement of 1 existing rear window with multiple casement windows and board and batten siding [County Council District #3]. The LPC voted to issue a Certificate of Appropriateness.

Dawson property, 1608 S. Rolling Road, non-contributing structure in the Relay County Historic District; installation of a picket fence in the rear yard [County Council District #1]. The LPC voted to issue a Certificate of Appropriateness.

“Springfield” (Whitehurst property), 12605 Dulaney Valley Road, Final Landmarks List #275, MIHP#BA0412; installation of half-round copper gutters where no gutters currently exist [County Council District #3]. The LPC voted to issue a Certificate of Appropriateness.

“Monkton Hall”, 1901 Monkton Road, contributing structure in the Monkton County Historic District and My Lady’s National Register Historic District, MIHP #BA0506 ; clean/repoint stone and brick exterior and replace existing windows [County Council District #3]. The LPC voted to issue a Certificate of Appropriateness for the cleaning & repointing of the stone and brick exterior and referred the approval of the windows to staff and a LPC Technical Committee pending more complete information regarding the current condition of the windows and the proposed replacements.

Himelfarb property, 4626 Butler Road, non-contributing structure in the Glyndon County Historic District and the Glyndon National Register Historic District; installation of a split rail fence in the rear yard [County Council District #3]. The LPC voted to issue a Certificate of Appropriateness.

The Notice to Proceed was for:

3601 Blackstone Road, contributing structure in the Fieldstone County Historic District; ex post facto demolition of existing second story deck, in-kind replacement [County Council District #4]. The LPC

voted to issue an Ex post facto Notice to Proceed for the demolition of the deck and referred the approval of the replacement deck to staff and a LPC Technical Committee pending corrected drawings.

There was one postponement for:

Gambrill Barn, 4701 Butler Road, contributing structure in the Glyndon County Historic District and Glyndon National Register Historic District; MIHP # 0716; demolition of existing barn [County Council District #3]. Postponed at the request of the owner.

### 3. Recent County Council Legislation of Interest to the Board

Mr. Diana gave a report on the recent County Council legislation of interest to the Board.

#### Resolution 47-15 – PUD – Water’s Landing at Middle River

A resolution of the Baltimore County Council to approve the review of a proposed general development planned unit development in accordance with County law. The PUD, known as Water’s Landing at Middle River, includes 207 dwelling units, consisting of a mix of townhomes and single family detached dwellings, on a 58.6 acre lot within the URDL, zoned B.L.-A.S., B.L., D.R. 3.5 and D.R. 2.

#### Bill 48-15 – M.L. Zone

A bill for the purpose of amending the Zoning Regulations to permit the retail sale of firearms as a matter of right in an M.L. Zone, if located in an I.M. District, and generally relating to uses in the M.L.- I.M. Zone.

#### Bill 49-15 – Zoning Regulations – Parking

A bill for the purpose of amending the Zoning Regulations to revise the parking requirements for certain retail uses in the Pikesville Commercial Revitalization District; and generally relating to parking requirements.

### 4. New Zoning Classifications – Towson Area

Before the meeting adjourned, Ms. Andrea Van Arsdale, Director of the Department of Planning, explained to the Board the details of Resolution 113-14, which requests the Planning Board to create new zoning classifications for the Towson Area. Ms. Van Arsdale then requested that a meeting be held on August 20<sup>th</sup> in order to hold a Public Hearing for the new zoning classifications.

Ms. Hafford made a motion to set a Public Hearing for the new Zoning Classifications for the Towson Area for August 20<sup>th</sup>, with September 3<sup>rd</sup> as an alternate date. Mr. Perlow seconded the motion, which passed unanimously at 4:55 p.m. Absent were Messrs. Phillips, Lamb, and Holupka, as well as Ms. Berzins and Ms. Graf.

### **Adjournment of the Board Meeting**

Vice Chairman Miller called for a motion to adjourn the Board meeting. Mr. Schlossberg made the motion and Mr. McGinnis seconded the motion, which passed unanimously at 4:55 p.m. Absent were Messrs. Phillips, Lamb, and Holupka, as well as Ms. Berzins and Ms. Graf.

### **Items for Public Hearing**

#### 5. Cycle 33 Water and Sewer Amendments

Mr. Dave Thomas, from the Department of Public Works, made a few statements before the Public Hearing began. He noted that a newspaper article that expands on one of the water and sewer amendments had been placed in the Board member's work books. The article goes into greater detail regarding issue 15-02. However, it did not influence or change the recommendations. Mr. Perlow asked if the Thompson property had been withdrawn. Mr. Thomas stated that no, the Thompson property had not been withdrawn, but another property had been withdrawn. Mr. Perlow further asked if the Thompson property was trying to bring in water and sewer. Mr. Thomas stated that the Thompson property is not trying to bring in either water or sewer; the property is on well and septic. The issue on the Thompson property is that, once subdivided, there would be one well and septic system serving multiple lots. Under the water and sewer plan requirements and State regulations, this type of service would require a community system. In this case, the staff recommendations are not in favor of a community system. Mr. Perlow then stated that if the Water and Sewerage Plan gets approved, as amended, and that stipulation is in the plan, then the project will not be allowed to have a community system. Mr. Thomas replied that a resolution would be drafted that includes the recommendations that were made in the Cycle 33 report, and should the Planning Board choose to adopt the resolution, then the current designation would remain the same for the Thompson property and a shared system would not be permitted. Mr. Perlow then stated that the recommendation would essentially stop development of that site. Mr. Thomas replied that yes, it would halt development, unless the County Council decides to take the issue up on its own.

### **Adjournment of Public Hearing**

Vice Chairman Miller asked for a motion to adjourn the Public Hearing. Mr. McGinnis made the motion and Mr. Perlow seconded the motion, which passed unanimously at 5:10 p.m. Absent were Messrs. Phillips, Lamb, and Holupka, as well as Ms. Berzins and Ms. Graf.